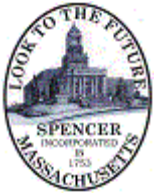


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, April 9, 2014 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

Commissioners Present: Mary McLaughlin, Dana Reed, Margaret Emerson, Warren Snow, Brian Roode

Staff present: Margaret Washburn

Minutes Approved: March 26, 2014 – *A motion to approve the minutes as amended (Snow/Emerson) passed 5/0.*

Signed: Continuance forms - 10 & 12 Sherman Grove
Continuance form – 40 South Spencer Road

7:15 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Doug Cutler

Property: 10 Sherman Grove, Spencer, MA DEP#293-0819

At the request of the applicant, the hearing has been continued to June 25, 2014.

7:16 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Doug Cutler

Property: 12 Sherman Grove, Spencer, MA DEP#293-0820

At the request of the applicant, the hearing has been continued to June 25, 2014.

7:17 p.m. Opened the Continuation of Public Hearing for Notice of Intent for Kristian Rondeau

Property: 40 South Spencer Road, Spencer, MA DEP#293-0822

At the request of the applicant, the hearing has been continued to April 23, 2014.

Other Business:

Conservation Restriction: Ms. Ginny Scarlet said the Conservation Restriction (CR) that Kurt Nordquist donated to the Common Ground Land Trust (CGLT) is almost done. 1/3 of the property is over the aquifer protection zone. Ms. Scarlet said the state has a program that if CR is donated to a town or Land Trust, and the CR is valued high enough, the State will give a tax credit. In Massachusetts, if you don't owe that much tax, they

will cut a check for the credit. Ms. Scarlet said that Mr. Nordquist liked that idea. Ms. Scarlet went on to say that the wording of the CR has to be acceptable to the Tax Credit Program. Mr. Nordquist has to develop a Conservation Plan. A Forestry Stewardship Plan is also needed for the wooded portion. Mr. Nordquist allows the cows to go across the brook and refuses to fence the cows off from the brook. The State is working on the language so Mr. Nordquist can do this but the next owner cannot. The NRCS Conservation Plan has to be in place before a new owner takes over.

Ms. Scarlet said the Conservation Commission and the Board of Selectmen must sign off on any CR. The deadline for Mr. Nordquist to get this is the end of April. He has to still get a survey and an appraisal. Ms. Scarlet said the value of the CR (since Mr. Nordquist could get three to four lots at \$50,000 each) is high. Ms. Scarlet said when the lawyers and Mr. Nordquist are ready to sign, she will come back for a vote or they could vote tonight for Ms. McLaughlin to sign in the future. Ms. Washburn suggested letting cows stay along the brook until the new owner takes over. There is no imminent water quality hazard. Mr. Nordquist's house and barn are not part of the CR. *A motion to support and authorize Ms. McLaughlin to sign the CR when ready (Snow/Emerson) passed 5/0.* Ms. Scarlet will present to the Selectmen when all is final.

Auto Gateway, Transdevelopment Corp.: Dan Feeney (Beals & Thomas), Ned Bartlett, (Bowditch & Dewey), and Randy Roakes (East Brookfield Railroad) were present. Mr. Feeney said on Sunday Mr. Snow made an attempt to get to the Stump Pond access and was turned away by the security guard. The security guard was new on the job. Mr. Snow said there were cones in front of the access road and was told the access is closed for a year. Mr. Feeney said the access will be open and will always be open. Borrgaard Construction will make sure it will remain open during construction.

On 4/7/14, Ms. Washburn inspected and took photographs with Art Allen, CESSWI, of EcoTec, Inc., Nate Aucoin and Bob D'Amelio, of Borrgaard Construction. They inspected areas where problems had occurred. Clean water was flowing out from the base of the retaining wall. The berm around the southern detention basin had partially collapsed during the recent 4-inch storm. The sediment that had reached the wetlands had been cleaned out carefully. The ESCs had been repaired and the berm is to be repaired on 4/10/14. Ms. Washburn had no issues with these areas at this time, except to follow up on the berm repair.

Mr. Feeney discussed the proposed work to the Commission. Ms. Washburn said the plan is not stamped or signed by an Engineer. Mr. Feeney said the plan will not be presented for the alteration until the as-built is submitted for the request for Certificate of Compliance.

Stiles Reservoir, Mr. Bob Fournier: Mr. Fournier said he did not find any letters to the Lake District from Judy Lochner as he said he would at the last meeting. He said they are repairing the dam. Dam Safety let them drop the water more. Mr. Fournier brought up the 42-inch culvert under Chickering Road. He considers it an illicit discharge. Mr. Fournier said the sediment loads up in the small pond across Chickering Road. Mr.

Fournier said there should be a mitigation system put on the other side of Chickering Road.

Mr. Fournier also complained about the drainage at the end of Greenville Street. He would like to give the Commission a formal presentation in the future.

Volunteers for the Conservation Commission: Mr. John Haverty said he recently moved to Spencer in August on Thompson Pond. He is concerned about his neighbor, John Kelley. Mr. Haverty is retired from the Worcester County Sheriff's Office. He is currently working at Logan Airport. He is always free the 2nd and 4th Wednesdays. *A motion to recommend that the Selectmen appoint John Haverty to the Conservation Commission (Reed/Snow) passed 5/0.*

Mr. James Bouley is a lifelong Spencer resident. He has built a waterfront house on Cranberry Meadow Reservoir. He said what piqued his interest was going through the Conservation Commission to build his house. In college, he was a biology major and also took some environmental courses. He currently works at UMass Medical School in the neurology lab where they do stroke research and traumatic brain injury research. *A motion to recommend that the Selectmen appoint James Bouley to the Conservation Commission (Reed/Snow) passed 5/0.*

44 Buteau Road: Ms. Washburn said that Jason Dubois has requested that this Enforcement Order issue be addressed at the 4/23/14 meeting. EcoTec, Inc. is working with Bertin Engineering on the site.

160 Greenville Street – Alfred Labelle: Ms. Washburn issued an NOV on 4/2/14 for the unregistered truck parked on the edge of the BVW, requiring Mr. Labelle to attend tonight's meeting. Alfred Labelle came to the office on 4/7 and said the truck had been removed. Ms. Washburn inspected and took one photo on 4/9/14. The truck has been removed.

25 Meadow Road: Ms. Washburn inspected and took photos. ESCs are satisfactory. Construction of the addition has begun.

60 Smithville Road: Ms. Washburn inspected and took photos on 4/8/14. ESCs are satisfactory. Tree cutting has begun. Ms. Washburn gave permission for the owners to temporarily stockpile stumps in one area and to permanently place the stumps in the woods on the edge of their hayfield, in the uplands.

Abbey solar development: On 4/1/14, Ms. Washburn attended a meeting with the Town Planner and Steve Tyler to review revised plans and comments from both Graves and Lenard Engineering. On 4/7/14, she attended a first meeting with the Town Planner and U&F Director, Corey Brodeur and Doug Hodgson of Lenard Engineering. Then Ms. Washburn attended a second meeting with the same people and Steve Plonsker and Donald Graves of Graves Engineering. Donald Graves stated that he did not have to do

deep-hole testing under the sediment basins. Corey Brodeur pointed out that the Stormwater bylaw says that this testing is required under all swales and sediment basins.

45 Lake Avenue: On 4/1/14, Ms. Washburn inspected the ESCs prior to commencing the demolition of the old house near Stiles Reservoir in preparation for constructing the new house. She said the only obstacle to commencing work was that the boom was not far enough out into the water. On 4/2/14, Ms. Washburn re-inspected. The boom was satisfactory. Permission was given to demolish the old house.

Wire Village School: Ms. Washburn said she read the stormwater maintenance report from when the school was constructed and there was supposed to be some maintenance done there that has never been done. Ms. Scarlet said she had sent a letter to the Superintendent and never received a response. Ms. Scarlet said the primary concern she had seen was the sedimentation basins filling up with sediment.

22 Longview Drive: Ms. Washburn said Mr. Huard used to have rocks in the lake. The rocks were removed from the lake due to the project but now Mr. Huard wants to put the rocks back into the lake.

South Spencer Road: Roger Plourde owns a body of water on South Spencer Road, which is in the Endangered Species Habitat. The highway department wanted to clean out beaver material there. When Mr. Ernie Grimes was on the Commission, he had told Steve Tyler to clean between the fence and the road, but to file a NOI to clean on the other side of the fence. Kurt Nordquist keeps telling the highway department that the area needs to be cleaned out ASAP because the road is going to get washed out. The highway department needs to obtain permission from Mr. Plourde, the Commission, and DEP to do this work. The highway department is looking for the Commission to do an inspection. Ms. Scarlet said she had made a map of where town roads overlap with NHESP habitat.

Site Visits: The Commission will meet at town hall on Monday, April 14th at 9:15 a.m. to go to 22 Longview Drive and Wire Village School.

New Applications: None

A motion to adjourn the meeting at 8:38 p.m. (Snow/Emerson) passed 5/0.

Respectfully submitted by:

Lisa Daoust, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 4/9/14 Spencer Conservation Commission meeting:

Agenda for the 4/9/14 meeting

Minutes from the 3/26/14 Spencer Conservation Commission meeting (approved as amended)

Margaret's report dated 4/9/14

Site plan submitted by Dan Feeney of Beals & Thomas for 22 Podunk Pike – TransDevelopment Group

Closed file, including Certificate of Compliance for New England Auto Gateway

Maps of Kurt Nordquist's property on Gale Drive and So. Spencer Road, submitted by Ginny Scarlet

Continuance form for 10 & 12 Sherman Grove (signed)

Continuance form for 40 So. Spencer Road (signed)